

REMARKS

Claims 1-35 are pending in the present application. By this amendment, claims 8 and 21 have been amended. All of the claims stand rejected. The Applicant respectfully requests reconsideration of the rejections based on comments to follow.

Figure 1 was objected to based on the assertion that Figure 1 should be designated by a legend such as "prior art". In response, the Applicant has filed concurrent with this Amendment a Request for Approval of Drawing Changes adding this legend to Figure 1. Accordingly, this objection is believed to be obviated.

Claims 8 and 21-25 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The amendments to claims 8 and 21 herein are believed to address and resolve this rejection.

Claims 1-10, 13, 15, 16, 20-24, 26, 27, 30, and 31 were rejected under 35 U.S.C. §102(e) as being anticipated by Curry (U.S. Patent No. 6,266,223). The Applicant respectfully traverses this rejection based on the following reasons.

With respect to independent claim 1, the Office Action asserts that Curry discloses the elements of this claim. The Applicant respectfully disagrees that all the elements of the claim are taught or suggested by Curry. In particular, claim 1 features an integral circuit protection device having an overcurrent protection portion and an overvoltage protection portion where a part of the overvoltage protection portion serves as one of a plurality of terminals. In contrast, the overcurrent protection fuses shown in Fig. 2 of Curry are not taught to be integral to the line protector module 200 shown in Fig. 3. That is, the fuses illustrated in Fig. 2 of Curry are merely fuses placed at each input prior to the line protector module 200 (see col. 6, line 48). This is further evidenced in Fig. 3, which shows that the line protector module 200 does not include the fuses shown in Fig. 2 or that these fuses would be integrated with the line protector module 200 itself.

Furthermore, Curry does not teach that a part of the overvoltage protection portion serves as one of the plurality of terminals. Specifically, Fig. 2 merely shows the overvoltage arrestor 34 or the voltage clamping devices 140 being connected internally within the embodiment 100, with no portion of these devices serving as one of a plurality of terminals connecting to the circuit 66 to be protected. Additionally, Fig. 3 clearly shows terminals of the line protector module 200

distinct from the voltage clamping devices 256, 258 and 260, which are instead located on a circuit board 216.

Accordingly, in light of the foregoing comments, the Applicant respectfully submits that Curry does not teach or suggest all of the elements of independent claim 1.

With respect to dependent claims 2-10, these claims are believed to be allowable at least by virtue of their dependency on independent claim 1. Additionally, Curry does not teach or suggest “the part of the overvoltage protection portion serving as one of the plurality of terminals being the third terminal”, for example, as featured in claim 2 because, as discussed above, Curry does not teach part of an overvoltage protection portion serving as one of a plurality of terminals. Additionally, Curry does not disclose a bi-directional thyristor as featured in claim 4. A “thermally conducted portion that conducts heat away from the overvoltage protection portion” as featured in claim 6 is not taught or suggested by Curry. Rather, the section referenced with respect to claim 6 in the present Office Action (i.e., col. 8, ll. 60-68) instead teaches thermally conductive material to transfer heat between diodes and positive temperature coefficient resistors to reduce likelihood that the positive temperature coefficient resistors will react to slowly to protect diodes from damage by heat. Accordingly, the features of claim 7 are also not taught or suggested specifically by Curry. Moreover, claim 10 features the integral circuit protection device being configured “substantially the same as a telecommunications fuse configuration.” This feature is not taught or suggested by Curry.

With respect to independent claim 13, this claim is submitted as being allowable over Curry for the same reasons discussed above with respect to independent claim 1. That is, Curry does not teach or suggest an overcurrent protection device being contained by a circuit element mounting member as featured in claim 13 as well as part of an overvoltage protection portion serving as a terminal of the circuit element mounting member.

With respect to dependent claims 15, 16 and 20-24, these claims are submitted to be allowable at least virtue of their ultimate dependency on independent claim 13. Additionally, these claims also feature elements that are not taught or suggested by Curry, such as a thyristor as featured in claim 16, a plurality of wire terminations disposed on or at least one of first and second surfaces of a substrate as featured in claim 21, a fuse element disposed on at least one side of the substrate in an overvoltage protection device comprising a thyristor as featured in claim 22, an atmospherically resistant encapsulant disposed on at least one side of the substrate

with a fuse element and thyristor as featured in claim 23, and the circuit element formed as a discrete component for mounting on a printed circuit board as featured in claim 27.

With respect to independent claim 30, this claim is submitted to be allowable over Curry for the reasons presented above with respect to independent claims 1 or 13. Additionally, with respect to dependent claim 31, this claim is believed to be allowable at least by virtue of its dependency on independent claim 30.

Claims 11, 12 and 32-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Curry in view of Nabell et al. (U.S. Patent No. 6,377,435). The Applicant respectfully traverses this rejection for the following reasons.

With respect to dependent claims 11 and 12, these claims are submitted to be allowable at least by virtue of their ultimate dependency on independent claim 1, discussed previously. Additionally, neither Curry or Nabell teach or suggest a second overcurrent protection portion electrically connected between fourth and fifth terminals where a part of the second overvoltage protection portion jointly serves as a third terminal of the integral circuit protection device as featured in claim 11.

With respect to dependent claims 32-35, these claims are believed to be allowable at least by virtue of their ultimate dependency on independent claim 30, as discussed previously.

Claims 19 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Curry in combination with Myuong et al. (U.S. Patent No. 6,300,859). The Applicant respectfully traverses this rejection and submits that these claims are allowable at least by virtue of their ultimate dependency on independent claim 13.

Claims 14, 17, 18, 28 and 29 were provisionally rejected under the judicially created doctrine of obviousness-typed double patenting as being unpatentable over claims 1-26 and 28-34 of copending application number 09/534,277 (now issued U.S. Patent No. 6,510,032). The Applicant respectfully traverses this rejection for the following reasons.

First, each of claims 14, 17, 18, 28 and 29 are dependent claims, which ultimately depend from independent claim 13. As argued previously, claim 13 is believed to be allowable over Curry. Furthermore, claim 13 was not rejected under any type of double patenting. Each of dependent claims 14, 17, 18, 28, and 29 include all of the elements of independent claim 13. Thus, since claim 13 was not rejected under non-statutory double patenting based on claims issued in U.S. Patent No. 6,510,032, the Office Action has not established that all of the elements

of claims 14, 17, 18, 28, and 29 are met by corresponding elements found in the claims of U.S. Patent No. 6,510,032. Accordingly, the Applicant respectfully submits that a showing of obviousness-type double patenting has not been established.

Attached hereto is a marked-up version of the changes made to the specification claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

In light of the foregoing comments, the Applicant respectfully submits that the pending claims are allowable over the prior art of record and requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 8 and 21 have been amended as follows.

8. (Amended) The integral circuit protection device of claim 4¹2, wherein the first, second and third terminals are formed on at least one same side of the integral circuit protection device.

21. (Amended) The circuit element of claim 13, wherein the circuit element mounting member further comprises:

a substrate having first and second surfaces; and

a plurality of wire terminations disposed on at least one of the first and second ~~services~~ surfaces, wherein at least the first and second terminals are each respectively comprised of one of the plurality of wire terminations.